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5-7-1977

## The Maine Action no. 4 (May 5, 1977)

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The

# MAINE ACTION

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A LEGISLATIVE NEWSLETTER FOR THE LEAGUE OF WOMEN VOTERS OF MAINE

Issue #4

May 5, 1977

Rebecca Sarna, Action Chairperson

Florence Hoar, Editor

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Human Resources

Kathie Weibel, Chairperson

On April 13, the League testified against LD 933, a bill which would require an advisory referendum to determine the sentiments of the Maine people concerning the ERA. What at first was expected to be a tired repetition of the lackluster attempt at repeal last year, turned into quite a show with signs, babies, etc. packed into the small conference room. The AAUW, LWV and Pat Ryan of the Maine Commission for Women looked like staid old women compared to the rest of the melee. However, staid or not, the arguments, particularly those of Judy Potter of the Maine Law School had legal merit rather than emotional appeal. Several members of the State Government Committee mentioned to me that they were tired of the same show year after year. The Committee has requested from the Attorney General's Office an opinion of whether the ERA can be rescinded once it is passed. (The U. S. Attorney General has already advised it cannot be.) At present it looks as if the bill might receive a unanimous "ought not to pass"

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Testimony of the League of Women Voters of Maine on LD 821, An Act to Clarify Sex Discrimination in the Maine Human Rights Act:  
before the Human Resources Committee.

Given by Rebecca L. Sarna, Action Coordinator for the LWV of Maine  
May 3, 1977

I am Rebecca Sarna Speaking on behalf of the League of Women Voters of Maine. Our organization consists of seven local and area Leagues and has approximately 600 members statewide. League reaction to the Supreme Court ruling in Ar v. Gilbert was strong. The League of Women Voters in Washington characterized the ruling as "...a major setback in efforts to assure equality for women" and "...a serious blow to civil rights...which has serious negative ramifications." The League has urged the Congress and today urges the Maine Legislature to remedy this situation as quickly as possible.

Women's capacity to become pregnant has served as a historical basis for job discrimination. Employers have used potential pregnancy as an excuse to refuse to hire, train and promote women, to regard them as transient workers and to pay them lower benefits and wages. The Supreme Court on December 7 found that treating employees temporarily disabled by childbirth or a complication of pregnancy was NOT sex discrimination. We say that discrimination against pregnant women is sex discrimination in its purest form, and we agree with the ten U. S. Congressmen who in a statement on December 8 declared that the Court's decision "...clearly and inescapably gives judicial sanction to discrimination against women" and that "the Court invites employers to discriminate against women workers".

We urge you to amend the Maine Human Rights Act to make it crystal clear that prohibited discrimination on the basis of sex includes the bases of pregnancy, childbirth and related medical conditions. Women so affected shall be treated the same for all employment related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work. This last is crucial. Women cannot afford to be without disability protection any more than men can. Most women - 70% - work because they must. They are either the sole wage earner or married to men earning less than \$7000 per year. They cannot afford loss of pay, loss of seniority, a lower job and salary level, or total loss of job, especially with the financial demands of having a young child. Neither should society be forced to pick up the tab in the form of welfare benefits when insurance is available against loss of work time.

We do not agree that business's cannot afford to pay pregnancy-related disability benefits. Companies should not be able to offer generous benefits to their male employees if the price is to be no pregnancy-related benefits for women. General Electric's plan, for example, covers sports-related injuries, attempted suicide, venereal disease, disabilities incurred while committing a crime, prostate disease, circumcision, hair transplants, vasectomy, etc., while excluding pregnancy-related disabilities. Disability plans, where they exist, should treat women and men equitably. A number of large companies such as IBM and Xerox have voluntarily instituted plans that do just that and have found that doing so is cost-effective. Costs are small. For GE it would have been less than 1/5 cent per hour of wages paid. In Maine, estimates run from 2/5 cent to 1 2/5 cent per hour. And that cost can be offset by not having to recruit, hire, and train new employees.

The League is opposed to discriminatory practices against women. We support equal opportunity for women. We believe LD 821 addresses the very heart of the issue. We strongly urge your support.

Thank you.

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LD 1196: Funding for the Maine Human Rights Commission. The League testified in SUPPORT of this bill. It calls for \$35,000 to replace money which the EEOC just cut from their budget. This money would fund two investigators and one secretary, and would also help staff field offices. It would help reduce the backlog from 6 months to 3 months.

New HR Bills of interest:

LD 1612, An Act to Transfer the Responsibility for Administering and enforcing the Human Rights Act to the Attorney General. Carrier of Westbrook.

This transfer will eliminate any potential for legal suits under the act which are not based on good legal principles of law and which may serve only to harass.

LD 1609, An Act to Provide Annual updating of determination of

need under the AFDC program. Davies of Orono; Connolly of Portland.

The ratable reduction plan allows recipients to earn up to the difference between the determination of need and the actual amount of the AFDC Grant. This bill would allow recipients of AFDC to earn more, without having their grants reduced. (Grants themselves would not be larger.)

LD 1609 and LD 1342 (numbered 1352 in last newsletter) are expected to be heard the end of May.

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#### TAXATION

JoAnne Babcock, Chairperson

For a discussion of the current status of the Uniform Property Tax and School Funding Bills, see the Voter.

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#### ENVIRONMENTAL QUALITY

Barbara Alexander, Chairperson

Update:

LD 684 - An Act Concerning Standing Before the Board of Environmental Protection (issue #3, p. 5-6): WITHDRAWN

LD 1070 - An Act to Provide for Consideration of the Economic Impact of Decisions Made by the Board of Environmental Protection (Mastorman of Milo):

The bill was reported out of committee with a majority Ought-not-to-Pass; the House voted to accept the majority report, but the Senate is showing some interest, and voted to postpone until May 6.

The League OPPOSES this bill:

- 1) Several statutes already allow testimony on economic bases;
- 2) The word "consider" is unclear in a legal context.

LD 646 - An Act to Authorize a Citizen to Initiate Law Suits as a private Attorney General to Protect Environmental Quality (The League SUPPORTED this bill).

The House defeated this bill by voting to indefinitely postpone. Please note the position of your representative in the roll call vote and either thank him or express displeasure.

NOTE: The motion was to indefinitely postpone. A NO vote would have kept the bill alive, a YES vote was to kill it.

Those voting NO: Benoit; Blodgett; Bustin; Clark; Connolly; Davies; Dexter; Diamond; Dow; Fowle; Goodwin, H.; Green; Hall; Henderson; Howe; Hughes; Jonson; Kane; Kany; Kelleher; Kerry; Locke; MacEachern; Masterton; McMahon; Mitchell; Moody; Najarian; Nelson, N.; Pearson; Post; Prescott; Quinn; Spencer; Talbot; Tierney; Trafton; Wilfong; Wood; Wyman.

Those voting YES: Aloupis; Ault; Austin; Bachrach; Bagloy; Beaulieu; Bennett; Berry; Berube; Biron; Birt; Boudreau, A.; Boudreau, P.; Brown, K. L.; Brown, K. C.; Bunker; Burns; Byers; Carrier; Carroll;

Carter, D.; Carter, F.; Chonko; Churchill; Connors; Cote; Cox; Cunningham; Curran; Devoe; Drinkwater; Dudley; Durgin; Dutremble; Elias; Fenlason; Flanagan; Garsoo; Gauthier; Gill; Gillis; Goodwin, K.; Gould; Gray; Hickoy; Higgins; Huber; Hunter; Hutchings; Immonen; Jackson; Jacques; Jalbert; Joyce; Kilcoyne; Laffin; LaPlante; LeBlanc; Lewis; Littlefield; Lizotte; Lougee; Lunt; Lynch; Mackel; Mahoney; Marshall; Martin, A.; Masterman; Maxwell; McBreadarty; McHenry; McKean; McPherson; Mills; Morton; Nadeau; Nelson, M.; Norris; Palmer; Peltier; Peterson; Plourde; Raymond; Rideout; Rollins; Shute; Silsby; Smith; Sprowl; Stover; Strout; Stubbs; Tarbell; Tarr; Teague; Theriault; Torrey; Tozier; Truman; Twitchell; Whittemore.

Those ABSENT: Brenerman; Carey; Greenlaw; Hobbins; Peakes; Perkins; Tyndale; Valentine; Mr. Speaker.

LD 756 - An Act Relating to Solid Waste Disposal (Senator Pray of Penobscot).

This bill would make certain that Maine's standards on solid waste disposal do not exceed those of the Federal Government.

OPPOSE this bill very strongly.

The Federal Government has no laws on solid waste disposal, so this bill would repeal Maine's solid waste laws.

This bill received an Ought-not-to-pass report from Committee. The House voted to accept the Committee report, but the Senate is keeping it alive. It has been tabled twice, pending further amendments by Senator Pray. Further action is due May 10th.

CONTACT YOUR SENATORS IMMEDIATELY.

New E. Q. bills of Interest:

LD 1573, An Act to Control Conversion of Seasonal Dwellings to Year-round use in Shoreland Areas, Sponsored by Nancy Masterton of Cape Elizabeth. This bill requires compliance with the Plumbing Code for all dwellings that are converted to full time use.

LD 1605, An Act to Encourage Local Inspection Systems to Identify Illegal Domestic Waste Disposal Units; Sponsored by Nancy Masterton. State monies are provided at the rate of \$1 per septic system if the town adopts an ordinance to require inspection of all subsurface waste disposal systems every six years and reports annually on the number of malfunctioning systems.

LD 1557, An Act to Amend the Method of Collecting Costs in the Abatement of Malfunctioning Domestic Sewage Disposal Units, Sponsored by Mr. Brenerman of Portland. Permits a municipality to correct malfunctioning units with a revolving fund which requires the homeowner to reimburse the fund over a period of ten years, thus avoiding costly capital investment.

Note: All three of the above bills are sponsored by Portland's Council of Governments and result from experience under the 208 water quality planning process. The League SUPPORTS all three bills, which are presently scheduled for hearing soon by the Natural Resources Committee.

LD 1316, An Act Relating to Public Utility Electrical Transmission

Lines and Gas and Oil Pipelines. Rep. Hall of Sangerville.  
Amends the Site Location of Development Act to require approval or  
denial of the DEP before any lands necessary for such facilities are  
taken by eminent domain. SUPPORT.

. . . . .

Update on some bills mentioned in previous newsletters:

State Government: LD 13 - An Act Amending the Constitution reducing  
the Size of the House of Representatives to 99  
Members and Establishing the Size of the Senate at  
33 Members. WITHDRAWN

Election Laws: LD 197 - An Act Concerning Registration on Election  
Day (Issue #2, p. 3). Hearing held Feb. 23, Still in  
committee.

County Government: LD 394 - An Act to remove Restrictions on the Salary  
of County Commissioners who hire full-time County  
Administrators (Issue #1, p. 4) VETOED

LD 223-224-225 (Issue #1, p. 4; Issue #2, p. 2-3)  
Still in Committee.

Human Resources: LD 200 - An Act to Amend the Maine Human Rights  
Act (Issue #1, p. 3). Hearing not yet scheduled.



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